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15 Attorneys for Plaintiff
16 UNITED STATES OF AMERICA

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

No. 2:22-CR-00155-JFW

20 Plaintiff,

STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

21 v.

22 DERRICK PATTERSON,
23 aka "11in,"
24 aka "11-inches,"
25 aka "11-inches Hung,"

CURRENT TRIAL DATE:
June 21, 2022

Defendant.

PROPOSED TRIAL DATE:
October 25, 2022

26 Plaintiff United States of America, by and through its counsel
27 of record, the United States Attorney for the Central District of
28 California and Assistant United States Attorney Jeremiah Levine, and
defendant DERRICK PATTERSON ("defendants"), both individually and by
and through his counsel of record, Adithya Mani, hereby stipulate as
follows:

1. The indictment in this case was filed on April 19, 2022.

Defendant first appeared before a judicial officer of the court in

1 which the charges in this case were pending on April 5, 2022. The
2 Speedy Trial Act, 18 U.S.C. § 3161, originally required that the
3 trial commence on or before June 28, 2022.

4 2. On April 25, 2022, the Court set a trial date of June 21,
5 2022.

6 3. Defendant is detained pending trial. The parties estimate
7 that the government's case in chief in this matter will last
8 approximately three days.

9 4. By this stipulation, defendant moves to continue the trial
10 date to October 25, 2022, and related deadlines to the following
11 dates:

- 12 • Last day for pretrial motions: September 2, 2022;
- 13 • Last day for oppositions to pretrial motions: September 16,
14 2022;
- 15 • Last day for replies in support of pretrial motions: September
16 23, 2022;
- 17 • Pretrial conference and motions hearing: October 7, 2022.

18 5. This is the first request for a continuance.

19 6. Defendant requests the continuance based upon the following
20 facts, which the parties believe demonstrate good cause to support
21 the appropriate findings under the Speedy Trial Act.

22 7. Defendant is charged with violations of 18 U.S.C.
23 § 1951(a), Hobbs Act Robbery; 18 U.S.C. § 1344, Bank Fraud; and 18
24 U.S.C. § 1028A, Aggravated Identity Theft. The government produced
25 approximately 1,800 pages and other files of discovery to the defense
26 between April 20, 2022, and May 3, 2022. The discovery consisted of
27 video and audio recordings, as well as reports and images.

28 8. Counsel for defendant has the following conflicts:

1 a. U.S. v. Stewart (22-CR-028-JAK): Jury Trial Jun. 14,
2 2022: multi-defendant Hobbs Act robbery case estimated to last 4-6
3 days;

4 b. U.S. v. Richard Gutierrez (21-CR-454-JAK): Jury Trial
5 Jun. 28, 2022: multi-defendant conspiracy and possession with intent
6 to distribute methamphetamine case estimated to last 2-3 days;

7 c. U.S. v. Santillan Valencia (21-CR-588-JFW): Jury Trial
8 Aug. 2, 2022: multi-defendant exportation of firearms case estimated
9 to last one week;

10 d. U.S. v. Contreras (18-CR-321-PSG): Jury Trial Aug. 4,
11 2022: possession with intent to distribute methamphetamine case
12 estimated to last 2-3 days;

13 e. U.S. v. Arias (21-CR-181-DMG): Jury Trial Sept. 6,
14 2022: possession and distribution of child pornography case estimated
15 to last 2 days;

16 f. U.S. v. Barnett (22-CR-105-ODW): Jury Trial Sept. 13,
17 2022: multi-defendant conspiracy and felon-in-possession of firearm
18 case estimated to last 2-3 days;

19 g. U.S. v. Spencer (22-CR-095-FLA): Jury Trial Oct. 18,
20 2022: felon-in-possession of firearm case estimated to last 2-3
21 days.

22 9. Accordingly, counsel for defendant represents that he is
23 not available and will not have the time that he believes is
24 necessary to prepare to try this case on the current trial date.

25 10. In light of the foregoing, counsel for defendant also
26 represents that additional time is necessary to confer with
27 defendant, conduct and complete an independent investigation of the
28 case, conduct and complete additional legal research including for

1 potential pre-trial motions, review the discovery and potential
2 evidence in the case, and prepare for trial in the event that a
3 pretrial resolution does not occur. Defense counsel represents that
4 failure to grant the continuance would deny him reasonable time
5 necessary for effective preparation, taking into account the exercise
6 of due diligence.

7 a. Defendant believes that failure to grant the
8 continuance will deny him continuity of counsel and adequate
9 representation.

10 b. The government does not object to the continuance.

11 c. The requested continuance is not based on congestion
12 of the Court's calendar, lack of diligent preparation on the part of
13 the attorneys for the government or the defense, or failure on the
14 part of the attorneys for the Government to obtain available
15 witnesses.

16 11. For purposes of computing the date under the Speedy Trial
17 Act by which defendant's trial must commence, the parties agree that
18 the time period of May 9, 2022, to October 25, 2022, inclusive,
19 should be excluded pursuant to 18 U.S.C. §§ 3161(h) (7) (A),
20 (h) (7) (B) (i) and (h) (7) (B) (iv) because the delay results from a
21 continuance granted by the Court at defendant's request, without
22 government objection, on the basis of the Court's finding that: (i)
23 the ends of justice served by the continuance outweigh the best
24 interest of the public and defendant in a speedy trial; (ii) failure
25 to grant the continuance would be likely to make a continuation of
26 the proceeding impossible, or result in a miscarriage of justice; and
27 (iii) failure to grant the continuance would unreasonably deny
28 defendant continuity of counsel and would deny defense counsel the

reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

12. Nothing in this stipulation shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods be excluded from the period within which trial must commence. Moreover, the same provisions and/or other provisions of the Speedy Trial Act may in the future authorize the exclusion of additional time periods from the period within which trial must commence.

IT IS SO STIPULATED.

Dated: May 6, 2022

Respectfully submitted,

TRACY L. WILKISON
United States Attorney

SCOTT M. GARRINGER
Assistant United States Attorney
Chief, Criminal Division

/s/ *Jeremiah Levine*

JEREMIAH LEVINE
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

1 I am Derrick Patterson's attorney. I have carefully discussed
2 every part of this stipulation and the continuance of the trial date
3 with my client. I have fully informed my client of his Speedy Trial
4 rights. To my knowledge, my client understands those rights and
5 agrees to waive them. I believe that my client's decision to give up
6 the right to be brought to trial earlier than October 25, 2022, is an
7 informed and voluntary one.

8

9 ADITHYA MANI
10 Attorney for Defendant
Derrick Patterson

DATE

11

12 I have read this stipulation and have carefully discussed it
13 with my attorney. I understand my Speedy Trial rights. I voluntarily
14 agree to the continuance of the trial date, and give up my right to
15 be brought to trial earlier than October 25, 2022. I understand that
16 I will be ordered to appear in Courtroom 7A of the Federal
17 Courthouse, 350 W. 1st Street, Los Angeles, California on October 25,
18 2022, at 9:00 AM.

19

20 DERRICK PATTERSON
Defendant

DATE